

# UNITED STATES DISTRICT COURT

SOUTHERN

DISTRICT OF

TEXAS

United States District Court  
Southern District of Texas  
FILED

UNITED STATES OF AMERICA  
V.

OCT - 6 2017

CRIMINAL COMPLAINT

David J. Bradley, Clerk

Case Number: M-17-1809-M

Jose De Jesus HERNANEZ-Sauceda 1968 (MX)  
Ruben YEPEZ-Garcia 1972 (MX)  
Ruben Alejandro YEPEZ-Moreno 1993 (MX)

I, Aron Guerrero, the undersigned complainant state that the following is true and correct to the best of my

Knowledge and belief. On or about October 5, 2017 in Hidalgo County, in  
(Date)  
the Southern District of Texas Defendant(s) did,

Knowingly and Intentionally Possess with Intent to Distribute approximately 25.96 kilograms of cocaine a Schedule II Controlled Substances and Knowingly and Intentionally Conspire to Possess with Intent to Distribute approximately 25.96 kilograms of cocaine a Schedule II Controlled Substances.

in violation of Title 21 United States Code, Section(s) 841 (a)(1) and 846.

I further state that I am a(n) HSI/ ICE Special Agent And that this complaint is based on the  
Official Title  
following facts:

See Attachment "A"

Continued on the attached sheet and made a part of this complaint: ☒ Yes ☐ No

Approved by AUSA D. PAXTON  
10/6/17

Sworn to before me and signed in my presence,

October 6, 2017  
Date

8:53 am at

Signature of Complainant

Aaron Guerrero  
HSI McAllen Special Agent

McAllen, Texas  
City and State

U.S. Magistrate Judge Peter E. Ormsby  
Name and Title of Judicial Officer

Signature of Judicial Officer

### **Attachment "A"**

On October 5, 2017, United States (U.S.) Immigration and Customs Enforcement (ICE), Homeland Security Investigations, McAllen, Texas (HSI McAllen), Special Agents (SAs) and Task Force Officers (TFOs) were conducting an investigation on Jose de Jesus HERNANDEZ-Sauceda, for being possibly being involved in smuggling narcotics into the U.S. from Mexico.

SAs conducted surveillance from the Pharr Texas Port of Entry (POE) and were able to observe HERNANDEZ-Sauceda drive out of the POE, north bound on Cage Boulevard on a white, Volkswagen Jetta, bearing Tamaulipas, Mexico, license plates XKN6378.

The aforementioned vehicle was subsequently followed to the parking lot of HEB supermarket, located at 2409 E Expy 83, Mission, TX. Once at the parking lot of the aforementioned location, HERNANDEZ-Sauceda was observed exiting his vehicle together with his wife and two (2) minor children. HERNANDEZ-Sauceda went inside the HEB and his wife and two (2) minor children went into ROSS dress for less, located in the same shopping plaza as the HEB.

SAs and TFOs followed HERNANDEZ-Sauceda into the HEB and observed him meet up with a male, who was subsequently identified as Ruben YEPEZ-Garcia. During that brief meeting, HERNANDEZ-Sauceda gave YEPEZ-Garcia the keys to HERNANDEZ-Sauceda's vehicle.

YEPEZ-Garcia then went out to the parking lot and got into HERNANDEZ-Sauceda's vehicle. SAs and TFOs then subsequently followed YEPEZ-Garcia to a residence located at 2215 Morning Lane in Mission, Texas. YEPEZ-Garcia then parked the aforementioned vehicle inside the garage of the aforementioned location and closed the garage door. SAs requested the assistance of a Mission Police officer in a marked police cruiser and set surveillance at the aforementioned residence.

Approximately one (1) hour later, SAs and TFOs observed the garage door of the aforementioned residence open and approached the aforementioned residence with the marked Mission Police cruiser as the aforementioned vehicle was driving out of the residence's garage.

SAs immediately spoke to YEPEZ-Garcia in the Spanish language. SAs asked and were granted verbal consent to search his house. YEPEZ-Garcia stated that his son, later identified as Ruben Alejandro YEPEZ-Moreno, was also inside the house.

SAs and TFOs knocked at the front door of the aforementioned residence and made contact with YEPEZ-Moreno when he opened the door. SAs asked and were granted consent by YEPEZ-Moreno to search the residence.

A complete search of the aforementioned residence revealed several weapons of different models and calibers throughout the house, an undetermined amount and different calibers of ammunition, and twenty-one (21) bricked-shaped packages wrapped in plastic, containing a white-powdery substance, which field tested positive for the properties of cocaine, hidden inside a tumble dryer, located in the aforementioned residence's laundry room. The total approximate weight of the narcotics was 25.96 kilograms (kgs).

SAs subsequently interviewed HERNANDEZ-Sauceda, YEPEZ-Garcia and YEPEZ-Moreno. All three subjects were individually read their Miranda Rights from a pre-printed form in the Spanish language. The three subjects waived their rights both orally and in writing by signing the pre-printed form.

HERNANDEZ-Sauceda stated that on February 2017, he was approached by an individual known to him as "Flaco" while in Reynosa, Mexico. HERNANDEZ-Sauceda stated "Flaco" offered him a job to transport an unknown substance into the U.S. HERNANDEZ-Sauceda stated the Volkswagen Jetta he was driving was purchased for him in order to cross into the U.S. HERNANDEZ-Sauceda stated he was never told what he was smuggling into the U.S., but he believed it was some type of illegal narcotic. HERNANDEZ-Sauceda stated he was paid \$700 U.S. every time he smuggled the unknown substance into the U.S. HERNANDEZ-Sauceda stated he was instructed to drive the vehicle to a business in the U.S., and turn over the vehicle to an individual who he knew as "Gordo". HERNANDEZ-Sauceda stated he had successfully smuggled an unknown substance into the U.S. on several occasions and turned over the vehicle to "Gordo", who SAs later identified as YEPEZ-Garcia.

YEPEZ-Garcia stated to SAs that after receiving the keys to the vehicle, he would drive it to a residence located in Mission, Texas in order to remove packages from man-made compartments. YEPEZ-Garcia stated he was aware of the location of the narcotics within the vehicles because he was shown the location of the compartment prior to the vehicles crossing into the U.S. YEPEZ-Garcia stated he would open the compartment, remove the packages which he believed to be cocaine, and then seal the compartment. YEPEZ-Garcia stated he was paid approximately \$100 U.S. per package that he removed and stored at the residence.

YEPEZ-Moreno stated to SAs that he was living in the residence where the packages were received. YEPEZ-Moreno stated his father, YEPEZ-Garcia, was in charge of removing the packages from the vehicles and storing the packages inside of the house. YEPEZ-Moreno stated he would then coordinate and drop off the packages with an unknown individual in order for the packages of cocaine to be transported further north into the U.S.